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Paul Edwin Jones

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EXAMINER

JUNTIMA, NITTAYA

ART UNIT

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2616

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/645,724	Applicant(s) JONES ET AL.	
	Examiner NITTAYA JUNTIMA	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-39, 41 and 42 is/are rejected.
- 7) ☒ Claim(s) 40 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the amendment filed on 12/13/2007.
2. Claims 1-11 and 13-42 are pending.
3. Claims 1-10, 13-24, 26-39, and 41-42 are currently rejected under 35 U.S.C. 102(e).
4. Claims 11 and 25 are currently rejected under 35 U.S.C. 103(a).
5. Claim 40 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Objections

6. Claims 22, 37-38, 40, and 42 are objected to because of the following informalities:
 - in claim 22, a period is missing at the end of the claim;
 - in claim 37 and 42, line 1, "service includes" should be changed to "services include";
 - in claim 38, line 1, "the called endpoint" should be changed to "the user of the called endpoint" since the called endpoint is already alerted with the "call request message" in claim 1, see also the definition of delayed call establishment in the specification on pages 5, lines 20-25 and page 6, lines 10-20;
 - in claim 40, line 1, "the called endpoint" should be changed to "the user of a called endpoint" to avoid lack of antecedent basis and be consistent with the definition of delayed call establishment as disclosed in the specification on pages 5, lines 20-25 and page 6, lines 10-20.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-8, 10, 13-24, 26-29, 31-36, 39, and 41 are rejected under 35 U.S.C. 102(e) as being anticipated by Riikonen (US 2004/0162094 A1).

Regarding claim 1, as shown in Fig. 2, Riikonen teaches a network device, comprising:

A port (a caller terminal must include an output port for sending out an INVITE message) to allow the device to communicate with a called endpoint (callee terminal).

A process (a caller terminal must include a processor for processing the messages shown in Fig. 2) to:

Send a call request message (SIP INVITE F1 message) associated with a call to the called endpoint, the call request message including a delayed call establishment capability advertisement (since a format or function of the delayed call establishment capability advertisement is not further defined, the delayed call establishment capability advertisement reads on a “SynchronizeLoading” header in the SIP INVITE F1 message that contains a URL and the number of a designated SIP response message 180 as shown in Fig. 3 and inherently serves as an advertisement to the callee that the caller terminal, Fig. 2 supports a delayed call establishment). See paragraphs 0024 and 0027.

Indicate a desire to delay call establishment until a delay point (the downloading and presentation of the multimedia content) is reached, (the downloading and presentation of the multimedia content, which must be complete by the callee terminal before starting the multimedia session in F10 of Fig. 2, as indicated in a form of a URL of the multimedia content in a new header Synchronize-Loading of the SIP INVITE message as shown in Fig. 3), the delay point indicating at least one of feature discovery of the called endpoint, and call supplementary services (at least one of call supplementary services is not further defined, therefore, reads on the downloading and presentation of the multimedia content which is an additional service to the call). See paragraphs 0014, 0024, and 0027.

Regarding claim 2, Riikonen teaches that the processor further to receive a notification that a delay point has been reached (the 180 ringing message is sent from the callee terminal to the caller terminal after the downloading and presentation of the multimedia content is complete, paragraph 0027).

Regarding claim 3, Riikonen teaches that the processor to determine if the call is to be established and, if the call is to be established, notify the called endpoint (the caller terminal must determine that the multimedia session is to be established before transmitting an ACK message F9 and starting the multimedia session in F10, Fig. 2 and paragraph 0029).

Regarding claim 4, Riikonen teaches that the network device comprising a calling endpoint (caller terminal, Fig. 2).

Regarding claim 5, Riikonen teaches a method of delaying call establishment, the method comprising:

Transmitting a call request message (INVITE F1) associated with a call to a called endpoint (callee terminal) identifying a delay point (the downloading and presentation of the multimedia content, which must be complete by the callee terminal before starting the multimedia session in F10 of Fig. 2, as indicated in a form of a URL of the multimedia content in a new header Synchronize-Loading of the SIP INVITE message shown in Fig. 3), the call request message including a delayed call establishment capability advertisement (since a format or function of the delayed call establishment capability advertisement is not further defined, the delayed call establishment capability advertisement reads on a “SynchronizeLoading” header which inherently serves as an advertisement to the callee that the caller terminal, Fig. 2 supports a delayed call establishment), the delay point indicating at least one of feature discovery of the called endpoint, and call supplementary services (at least one of call supplementary services is not further defined, therefore, reads on the downloading and presentation of the multimedia content which is an additional service to the call). See paragraphs 0014, 0024 and 0027.

Regarding claim 6, Riikonen teaches receiving a notification from the called endpoint that the delay point has been reached (the 180 ringing message is sent from the callee terminal to the caller terminal after the downloading and presentation of the multimedia content is complete, Fig. 2 and paragraph 0027).

Regarding claim 7, Riikonen teaches determining if the call is to be established (the caller terminal must determine that the multimedia session in F10 is to be established before transmitting to the callee terminal an ACK message F9 and starting the multimedia session in F10, Fig. 2 and paragraph 002).

Regarding claim 8, Riikonen further teaches notifying the called endpoint if the call is to be established (since the order of the notifying step is not further defined, therefore, the notifying step reads on sending of a SIP INVITE message from caller terminal to callee terminal, paragraph 0027).

Regarding claim 10, Riikonen further teaches transmitting a call request message comprising transmitting a session initiation protocol INVITE message (a SIP INVITE message F1 in Fig. 2, paragraph 0024).

Regarding claim 13, Riikonen teaches receiving a notification from the called endpoint (callee terminal) comprising a Delay Point Reached message (the 180 ringing message F7 in Fig. 2 is used to notify the caller that the downloading and presentation is complete, paragraph 0027).

Regarding claim 14, Riikonen also teaches sending a Delayed Call Establishment Release message to notify the called endpoint to alert a called user, thereby establishing the call (the order, structure or function of a Delayed Call Establishment Release message is not further defined, therefore, the step of sending a Delayed Call Establishment Release message reads on

sending a SIP INVITE message with Synchronize-Loading header from a caller terminal to a callee terminal shown in Fig. 2 to notify the callee terminal to alert a called user after a completion of the downloading and presentation, paragraph 0027).

Regarding claim 15, as shown in Fig. 2, Riikonen teaches a method of delayed call establishment, the method comprising:

Receiving a call request message (INVITE in F1) associated with a call indicating a need for delayed call establishment and identifying a delay point (the downloading and presentation of the multimedia content, which must be complete by the callee terminal before starting the multimedia session in F10 of Fig. 2, as indicated in a form of a URL of the multimedia content in a new header Synchronize-Loading of the SIP INVITE message as shown in Fig. 3), the call request message including a delayed call establishment capability advertisement (since a format or function of the delayed call establishment capability advertisement is not further defined, the delayed call establishment capability advertisement reads on a “SynchronizeLoading” header which inherently serves as an advertisement to the callee that the caller terminal, Fig. 2 supports a delayed call establishment), the delay point indicating at least one of feature discovery of the called endpoint, and call supplementary services (at least one of call supplementary services is not further defined, therefore, reads on the downloading and presentation of the multimedia content which is an additional service to the call). See paragraphs 0014, 0024 and 0027.

Regarding claim 16, Riikonen teaches transmitting a response indicating availability of delayed call establishment and progressing the call to the delay point (a 183 session progress

message in F4 is sent from the callee terminal to the caller terminal and download process begins in F5, Fig. 2 and paragraphs 0025-0026).

Regarding claim 17, Riikonen teaches notifying a calling endpoint that the delay point has been reached (the 180 ringing message is sent from the callee terminal to the caller terminal after the downloading and presentation of the multimedia content is complete, Fig. 2 and paragraph 0027).

Regarding claim 18, Riikonen teaches processing the call as indicated by the calling endpoint (Fig. 2 and paragraphs 0025-0028).

Regarding claim 19, Riikonen also teaches processing the call which comprises alerting a use, of the called endpoint, of the call (paragraph 0027).

Regarding claim 20, Riikonen also teaches processing the call which comprises performing other tasks without alerting a user (tasks performed in F2-F6 shown in Fig. 2, paragraphs 0025-0027).

Regarding claim 21, as shown in Fig. 4, Riikonen teaches a network device (callee terminal), comprising:

A port (user interface) to allow the device to communicate with a calling endpoint (caller terminal, Fig. 2 and paragraph 0033).

A processor (a processor must be included in the caller terminal to process the steps performed in Fig. 2) to:

Receiving a call request message (INVITE F1, Fig. 2) associated with a call from the calling endpoint (the caller terminal, Fig. 2), the call request message including a delayed call establishment capability advertisement and a delay point (since a format or function of the delayed call establishment capability advertisement and a delay point is not further defined, the delayed call establishment capability advertisement and a delay point read on a “SynchronizeLoading” header which inherently serves as an advertisement to the callee that the caller terminal, Fig. 2 supports and requests a delayed call establishment), the delay point indicating at least one of feature discovery of the called endpoint, and call supplementary services (at least one of call supplementary services is not further defined, therefore, reads on the downloading and presentation of the multimedia content which is an additional service to the call). See paragraphs 0014, 0024 and 0027.

Respond with a notification of delayed call establishment availability and process the call to a delay point (a 183 session progress message in F4 is sent from the callee terminal to the caller terminal and download process begins in F5, Fig. 2 and paragraphs 0025-0026).

Regarding claim 22, Riikonen teaches that the processor further to transmit a notification that a delay point has been reached (the 180 ringing message is sent from the callee terminal to the caller terminal after the downloading and presentation of the multimedia content is complete, paragraph 0027).

Regarding claim 23, Riikonen teaches that the processor to determine if the call is to be established and, if the call is to be established, notify the called endpoint (the callee terminal must determine that the multimedia session is to be established before transmitting alerting the callee in F7 and starting the multimedia session in F10, Fig. 2 and paragraphs 0027 and 0029).

Regarding claim 24, Riikonen teaches that the network device comprising a called endpoint (callee terminal in Figs. 2 and 4, paragraph 0033).

Claims 26-29 are article of computer-readable media storing computer executable instructions claims containing similar limitations recited method claims 5-8, respectively, and are therefore rejected under the same reason set forth in the rejection of claims 5-8, respectively (caller terminal must contain an article of computer-readable media storing computer executable instructions in order to process SIP messages shown in Fig. 2).

Claims 31-34 are article of computer-readable media storing computer executable instructions claims containing similar limitations recited in method claims 15-18, respectively, and are therefore rejected under the same reason set forth in the rejection of claims 15-18, respectively (callee terminal must contain an article of computer-readable media storing computer executable instructions in order to process SIP messages shown in Fig. 2).

Claim 35 is a network device claim containing similar limitations to the network device claim 1, and is therefore, rejected under the same reason set forth in the rejection of claim 1.

Claim 36 is a network device claim containing similar limitations to the network device claim 21, and is therefore, rejected under the same reason set forth in the rejection of claim 21.

Regarding claims 39 and 41, Riikonen also teaches that the delay point indicates media ports properly opened prior to call completion (the downloading and presentation prior to call completion implies that the media ports must be properly opened before alerting end user, paragraphs 0027-0028).

9. Claims 1, 21, and 37, and 42 are rejected under 35 U.S.C. 102(e) as being anticipated by Triano (US 7,149,299 B2).

Regarding claims 1 and 37, as shown in Fig. 2, Triano teaches a network device (the NGW/DLE), comprising:

A port (a port connecting the NGW/DLE to the SIP-UA/TU) to allow the device to communicate with a called endpoint (the SIP-UA/TU), col. 10, lines 48-63.

A process (the NGW/DLE must include a processor for processing the messages shown in Fig. 2) to:

Send a call request message (INVITE with CCBS supervision) associated with a call to the called endpoint (the SIP-UA/TU), the call request message including a delayed call establishment capability advertisement (since a format or function of the delayed call establishment capability advertisement is not further defined, the delayed call establishment capability advertisement reads on CCBS supervision within the INVITE that inherently serves as

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an advertisement to the SIP-UA/TU that the NGW/DLE supports CCBS). See col. 7, lines 32-36.

Indicate a desire to delay call establishment until a delay point is reached, (the CCBS in the INVITE indicates to the SIP-UA/TU to wait for the called subscriber to be free before connecting the calling and called subscribers, col. 7, lines 32-36 and col. 8, lines 28-31), the delay point indicating at least one of call supplementary services including call completion on busy (CCBS is one of call supplemental services, col. 1, lines 64-67).

Regarding claims 21 and 42, as shown in Fig. 2, Triano teaches a network device (SIP-UA/TU), comprising:

A port (user interface) to allow the device to communicate with a calling endpoint (OU, col. 6, lines 59-62 and col. 8, lines 28-31).

A processor (a processor must be included in the SIP-UA/TU to process messages to/from NGW/DLE) to:

Receiving a call request message (INVITE with CCBS supervision) associated with a call from the calling endpoint (OU), the call request message including a delayed call establishment capability advertisement and a delay point (since a format or function of the delayed call establishment capability advertisement and a delay point is not further defined, the delayed call establishment capability advertisement and delay point read on CCBS supervision within the INVITE that inherently serves as an advertisement to the SIP-UA/TU that the NGW/DLE supports and supervises CCBS, col. 7, lines 32-36), the delay point indicating at least

one of call supplementary services including call completion on busy (CCBS is one of call supplemental services, col. 1, lines 64-67).

Respond with a notification of delayed call establishment availability and process the call to a delay point (200 with CCBS supervision sent from SIP-UA/TU to NGW/DLE, col. 7, lines 36-39, and SIP-UA/TU processes the call to the CCBS/the called user becomes free and both calling and called subscribers are connected, col. 8, lines 28-31).

10. Claims 1 and 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoo (US 7,170,888 B2).

Regarding claim 1, as shown in Fig. 6, Yoo teaches a network device (the terminating media gateway controller), comprising:

A port (a port connecting the terminating media gateway controller to the terminating PSTN) to allow the device to communicate with a called endpoint (the terminating PSTN and the terminating subscriber, collectively), col. 10, lines 48-63.

A process (the terminating media gateway controller must include a processor for processing the messages shown in Fig. 6) to:

Send a call request message (IAM with the COT check set-up) associated with a call to the called endpoint, the call request message including a delayed call establishment capability advertisement (since a format or function of the delayed call establishment capability advertisement is not further defined, the delayed call establishment capability advertisement reads on the COT check within the IAM that inherently serves as an advertisement to the

terminating PSTN that the terminating media gateway controller supports the COT check). See col. 10, lines 48-63.

Indicate a desire to delay call establishment until a delay point is reached, (the COT check in the IAM indicates to the terminating PSTN to wait for the COT check to be finished before seizing the terminating subscriber, col. 10, lines 56-63 and col. 11, lines 13-19), the delay point indicating at least one of feature discovery of the called endpoint, and call supplementary services (at least one of call supplementary services is not further defined, therefore, reads on the COT check which is an additional service to the call, col. 10, lines 56-63 and col. 11, lines 13-19).

Regarding claim 38, Yoo also teaches that the delay point indicates diagnostic testing without alerting the user of the called endpoint (the COT check within the IAM indicates COT check to be performed without alerting the terminating subscriber, col. 10, lines 48-63 and col. 11, lines 13-19).

11. Claims 5, 8-9, 14, 26, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Donovan (US 6,366,577 B1).

Regarding claim 5, as shown in Fig. 2, Donovan teaches a method of delaying call establishment, the method comprising:

Transmitting a call request message (SIP INVITE) associated with a call to a called

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endpoint identifying a delay point (SIP INVITE message 1 associated with a call to a called endpoint, e.g., 2 in Fig. 1, is sent from SIP1 150 to SIP2 152 requesting QoS which preventing the called telephone from ringing until policy ensuring the QoS has been provisioned, col. 6, lines 63-65, see also col. 4, lines 15-20 and 34-39), the call request message including a delayed call establishment capability advertisement (neither specific format nor function of the advertisement is defined, therefore, the delayed call establishment capability advertisement reads on the QoS in the SIP INVITE message 6, Fig. 2 which inherently advertises to the SIP2 152 in Fig.2 that SIP1 150 supports end-to-end QoS assurance before ringing the called party, col. 4, lines 15-21, 34-39, and col. 6, lines 63-65), the delay point indicating at least one of feature discovery of the called endpoint and call supplementary services (at least one of call supplementary services is not further defined, therefore, reads on QoS establishment which is an additional service to the call, col. 4, lines 15-20 and 34-39).

Regarding claim 8, Donovan also teaches notifying the called endpoint if the call is to be established (the order of the notifying step is not further defined, therefore, the notifying step reads on SIP1 150 in Fig. 2 sending a SIP INVITE to SIP2 to request a call setup, col. 6, lines 63-65).

Regarding claim 9, Donovan also teaches performing maintenance testing without notifying the called endpoint to start alerting a called user, wherein maintenance comprises service level verification (Fig. 2 shows that SIP1 150 sends a COPS REQ AAA message 2 to verify the QoS policy for user, col. 4, lines 15-39, col. 6, lines 49-60).

Regarding claim 14, Donovan also teaches sending a Delayed Call Establishment Release message to notify the called endpoint to alert a called user, thereby establishing the call (the order, structure, and function of a Delayed Call Establishment Release message are not further defined, therefore, the step of sending a Delayed Call Establishment Release message reads on sending the SIP INVITE message requesting QoS from SIP1 to SIP 2 which implies that a called telephone will be alerted after QoS policy has been provisioned, col. 4, lines 15-20, 34-39, and col. 6, lines 63-65).

Claims 26 and 30 are article of computer-readable media storing computer executable instructions claims containing similar limitations recited in method claims 5 and 9, respectively, and are therefore rejected under the same reason set forth in the rejection of claims 5 and 9, respectively (the machine reads on SIP1 150 which must contain an article of computer-readable media storing computer executable instructions in order to process messages shown in Fig. 2).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 11 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riikonen (US 2004/0162094 A1).

Regarding claim 11, Riikonen fails to explicitly teach the step of transmitting a call request message comprising transmitting an H.323 Setup message. An official notice is taken that it is well known in the art that a Setup message of H.323 protocol is equivalent to an INVITE message of SIP protocol and H.323 protocol is widely used as a protocol for setting connection/session as an alternative to the SIP protocol. Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify the teaching of Riikonen to include transmitting an H.323 Setup message as claimed. The suggestion/motivation to do so would have been to utilize H.323 protocol as an alternative to SIP in order to support H.323 devices, and such modification involves only routine skills in the art.

Regarding claim 25, Riikonen fails to teach that the calling endpoint (caller terminal in Fig. 2) comprising an intermediary. However, Riikonen further teaches that a SIP application server may be used between the caller and the callee (paragraph 0031). Therefore, it would have been obvious to one skilled in the art at the time of the invention to further modify the teaching of Riikonen to include a SIP application server such that the calling endpoint would comprise an intermediary (a SIP application server) as claimed. The suggestion/motivation to do so would have been to allow the calling endpoint not to have to include the modified SIP functionality by having the intermediary, such as a SIP application server, acting as its gateway (Riikonen, paragraph 0031).

Response to Arguments

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14. Applicant's arguments filed 12/13/2007 have been fully considered but they are not persuasive.

A. In the remarks, the applicant argues that Riikonen does not teach or suggest "the delay point indicating at least one of feature discovery of the called endpoint, and call supplementary services." Riikonen at best teaches a delay point indicating whether multimedia content is downloaded from a URL, not "one of feature discovery of the called endpoint, and call supplementary services" as claimed.

In response, it is noted that one of call supplementary services is not further defined, therefore, using the broadest reasonable interpretation, it reads on the downloading and presentation of the multimedia content which is an additional service to the call as disclosed in Riikonen (paragraph 0027). Thus, claim limitation is clearly met and the limitation is maintained.

B. In the remarks, the applicant argues that Donovan does not teach or suggest "the delay point indicating at least one of feature discovery of the called endpoint, and call supplementary services." Donovan at best teaches a delay point indicating whether policy has been provisioned in the network elements and resources have been reserved end-to-end, not "one of feature discovery of the called endpoint, and call supplementary services" as claimed.

In response, it is noted that one of call supplementary services is not further defined, therefore, using the broadest reasonable interpretation, it reads on QoS establishment which is an additional service to the call as disclosed in Donovan (col. 4, lines 15-20 and 34-39). Thus, claim limitation is clearly met and the limitation is maintained.

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NITTAYA JUNTIMA whose telephone number is (571) 272-3120. The examiner can normally be reached on Monday through Friday, 8:00 A.M - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nittaya Juntima
3/3/08

/Huy D. Vu/
Supervisory Patent Examiner, Art Unit 2616